

IN RE: PETITION FOR RESIDENTIAL VARIANCE\* BEFORE THE  
E/S Eugene Avenue, 350' N of  
the c/l of Maple Avenue  
(2505 Eugene Avenue)  
15th Election District  
7th Councilmanic District  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 91-146-A  
Deborah C. Hansel  
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a side yard setback of 5 feet in lieu of the minimum required 10 feet for a proposed addition in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 22-26 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 31st day of November, 1990 that the Petition for Residential Variance to permit a side yard setback of 5 feet in lieu of the minimum required 10 feet for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Petitioner shall not allow or cause the proposed addition to be converted to a second dwelling unit and/or apartments. The addition shall contain no kitchen facilities.
- 3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:bjs

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

November 21, 1990



Dennis F. Rasmussen  
County Executive

Ms. Deborah C. Hansel  
2505 Eugene Avenue  
Baltimore, Maryland 21219

RE: PETITION FOR RESIDENTIAL VARIANCE  
E/S Eugene Avenue, 350' N of the c/l of Maple Avenue  
(2505 Eugene Avenue)  
15th Election District - 7th Councilmanic District  
Deborah C. Hansel - Petitioner  
Case No. 91-146-A

Dear Ms. Hansel:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Residential Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

J. Robert Haines  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:bjs

cc: People's Counsel

File

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

91-146-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/does presently or upon settlement will reside at  
2505 Eugene Ave Baltimore Md 21219  
(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)

- 1) Hardship
- 2) NEED more room for growing family
- 3) Mother also moving in

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Deborah Carol Hansel  
AFFIANT (Handwritten Signature)  
Deborah Carol Hansel  
AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 25th day of Sept, 1990, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared  
Deborah Carol Hansel

the Affiant(s) hereto, personally known or satisfactorily identified to me as such Affiant(s), and made oath in the form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

DATE 9/27/90  
NOTARY PUBLIC  
My Commission Expires: 7-1-94

ITEM #155

ZONING DESCRIPTION

91-146-A

Beginning on the east side of Eugene Avenue, 50 feet wide, at the distance of 350 feet north of the centerline of Maple Avenue. Lot 2224-X, a re-subdivision of "Lodge Forest" - Plat Book 10, Folio 76, still being part of the "Lodge Forest" subdivision but re-recorded - Plat Book 43, Folio 4. Also known as 2505 Eugene Avenue, containing .261 acres in the 15th Election District.

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

91-146-A

District 15th Date of Posting 10/27/90  
Posted for: Deborah Carol Hansel  
Petitioner: Deborah Carol Hansel  
Location of property: E/S Eugene Ave, 350' N of Maple Ave  
2505 Eugene Ave  
Location of Sign: Posting E/S Eugene Ave, across 15' Rd  
 roadway just before rd of 15th Ave  
Remarks:  
Posted by: M. Haines Date of return: 11/1/90  
Number of Signs: 1

Baltimore County  
Zoning Commissioner  
County Office Building  
212 West Chesapeake Avenue  
Towson, Maryland 21204

Account: H-001-6150  
Number

receipt  
No 3617

Date 10/10/90 H9100155  
PUBLIC HEARING FEES QTY PRICE  
010 - ZONING VARIANCE (IRL) 1 X \$35.00  
100 - POSTING SIGN 1 \$35.00  
TOTAL \$70.00  
CASHIER VALIDATION  
Please make checks payable to Baltimore County  
04A344613810HRC  
EA 000313FM10-10-90 \$60.00

PETITION FOR RESIDENTIAL VARIANCE

#155

91-146 A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section

1. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason:

1. HARSHSHIP
2. NEED more room for growing family.
3. Mother also moving in.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Phone

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

City/State/Zip Code

Phone

ORDERED by the Zoning Commissioner of Baltimore County, this 10 day of Oct, 1990, that the subject matter of this petition be posted on the property on or before the 31 day of Oct, 1990.

J. Robert Haines  
Zoning Commissioner of Baltimore County

By M. Haines

By M. Haines

By M. Haines

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HOUSE LOCATION PLAT FOR  
#1909 EUGENE AVENUE  
LOT 2224-X RESUB. OF 2 LOTS M.L. 1076  
"LOVE FOREST" PLAT 2026 E.H.K. JR. #3,4  
19TH ELECTION DISTRICT BALTIMORE COUNTY, MD.  
SCALE: 1"=30'  
1"=100.00' RANDY J. HOFFER A ASSOC.  
BALTIMORE 327 222 8882